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**TO:**       **NAME**                      **COMPANY NAME**                      **TELECOPY NO.**  
         Examiner Jeffrey Fredman   United States Patent and   571-273-0742  
                                              Trademark Office

**FROM:**     Kitisri Sukhapinda

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**DATE:**     September 7, 2004

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**NUMBER OF PAGES (INCLUDING THIS COVER SHEET):**     8

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*Group:*                      1637  
*Confirmation No.:*     5884  
*Application No.:*       10/074,169  
*Invention:*             AUTOMATED ANALYSIS OF  
                              REAL-TIME NUCLEIC ACID  
                              AMPLIFICATION  
*Applicant:*             Carl T. Wittwer  
*Filed:*                    February 12, 2002  
*Attorney Docket:*     7475-70049  
*Examiner:*             J. N. Fredman

Examiner Fredman:

Attached please find a draft of Proposed Response Under 37 C.F.R. § 1.116 (7 pages)

Kitisri Sukhapinda  
Attorney Reg. No. 47,116

Response once received:

**CLIENT#**     7475  
**MATTER#**     70049

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***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

<i>Group:</i>	1637	}	<u>Certificate Under 37 CFR 1.8(a)</u>
<i>Confirmation No.:</i>	5884	}	I hereby certify that this correspondence is being
<i>Application No.:</i>	10/074,169	}	deposited with the United States Postal Service with
<i>Invention:</i>	AUTOMATED ANALYSIS OF	}	sufficient postage as first class mail in an envelope
	REAL-TIME NUCLEIC ACID	}	addressed to Commissioner for Patents, P.O. Box
	AMPLIFICATION	}	1450, Alexandria, VA 22213-1450
<i>Applicant:</i>	Carl T. Wittwer	}	on _____
		}	(Signature)
<i>Filed:</i>	February 12, 2002	}	_____
		}	(Printed Name)
<i>Attorney Docket:</i>	7475-70049	}	
<i>Examiner:</i>	J. N. Fredman	}	

**PROPOSED RESPONSE UNDER 37 C.F.R. § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on June 15, 2004, Applicant respectfully requests consideration of the following remarks. Applicant believes that no fees are required with this response. If fees are required, it is respectfully requested that the fees be charged to the account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to our matter 7475-70049. A listing of claims begins on page 2 of this paper, and remarks begin on page 5 of this paper.